

## **MITIGATED NEGATIVE DECLARATION**

August 24, 2006

Project Name: Homeland Estates

Project Number(s): TM 5362RPL, Log No. 04-08-010

**This Document is Considered Draft Until it is Adopted by the Appropriate  
County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
  - b. Environmental Analysis Form and attached extended studies for traffic, drainage, and water quality (stormwater).
1. California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.
2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

A. TRANSPORTATION

1. The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.

Department of Planning and Land Use

1. Prior to approval of the Final Map:

The subdivider shall provide evidence satisfactory to the Director of the Department of Planning and Land Use that an application for a Final Public Report has been submitted to the State of California, Department of Real Estate that discloses that there may be hazards or unusual conditions in or near this subdivision related to surrounding agricultural uses. The application must fully disclose to potential purchasers of the property all inconveniences and irritations arising from agricultural operations including, but not limited to the following: cultivation, plowing, spraying, pruning, harvesting, drying, crop protection from the elements or depredation which generates dust, smoke, noise, insects, rodents, and odor, and the use of agricultural chemicals, including but not limited to herbicides, insecticides, fungicides, rodenticides, and fertilizers. The information to be included in the application for the Final Public Report shall be submitted to and approved by the Director of Planning and Land Use prior to submittal to the State of California, Department of Real Estate.

GRADING MONITORING AND DATA RECOVERY PROGRAM FOR  
ARCHAEOLOGY RESOURCES

2. Prior to approval of grading or improvement plans, the subdivider shall:
  - A. Contract with a County certified archaeologist to implement a grading monitoring and data recovery program to the satisfaction of the Director of Planning and Land Use (DPLU). Verification of the contract shall be presented in a letter from the Project Archaeologist to the Director of Planning and Land Use. This program shall include, but not be limited to, the following actions:
    - 1) The County certified archaeologist/historian and Native American Observer shall attend the pre-grading meeting with

the contractors to explain and coordinate the requirements of the monitoring program. The Department of Planning and Land Use shall approve all persons involved in the monitoring program prior to any pre-construction meetings.

The consulting archaeologist shall contract with a Native American Observer to be involved with the grading monitoring program.

- 2) During the original cutting of previously undisturbed deposits, the archaeological monitor(s) (and Native American Observer) shall be on-site full-time to perform periodic inspections of the excavations. The frequency of inspections will depend on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features.
- 3) Isolates and clearly non-significant deposits will be minimally documented in the field and the monitored grading can proceed.
- 4) In the event that previously unidentified potentially significant cultural resources are discovered, the archaeologist shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery to allow evaluation of potentially significant cultural resources. The archaeologist shall contact the County Archaeologist at the time of discovery. The archaeologist, in consultation with County staff archaeologist, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the consulting archaeologist and approved by the County Archaeologist, then carried out using professional archaeological methods. If any human bones are discovered, the County Coroner shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains.

- 5) Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The archaeological monitor(s) (and Native American Observer) shall determine the amount of material to be recovered for an adequate artifact sample for analysis.
- 6) In the event that previously unidentified cultural resources are discovered, all cultural material collected during the grading monitoring program shall be processed and curated according to current professional repository standards. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation.
- 7) In the event that previously unidentified cultural resources are discovered, a report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the Director of Planning and Land Use prior to the issuance of any building permits. The report will include Department of Parks and Recreation Primary and Archaeological Site forms.
- 8) In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to the Director of Planning and Land Use by the consulting archaeologist that the grading monitoring activities have been completed.

B. Cause to be placed on the Grading Plan:

- 1) Prior to rough grading inspection sign-off, the archeological monitor shall provide evidence that the grading monitoring activities have been completed to the satisfaction of the Director of Planning and Land Use.

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

Department of Environmental Health

- a. Prior to its approval by the Board of Supervisors, the Final Map shall be reviewed by the Department of Health Services to ensure the same lot design, location and lot numbers as the approved tentative map.
- b. Prior to approval of the Final Map by the Board of Supervisors, all subdivision improvement and/or grading plans shall be reviewed by the Department of Health Services. Plans should include the location of proposed water lines and drainage control systems through or along proposed lots.
- c. The subdivider shall have approved by the Department of Health Services individual subsurface sewage disposal systems for all lots including grading plans for such lots if grading is required.
- d. Domestic water supply for this subdivision is to be provided by Rincon Del Diablo Water District (Lots 1-3) and the City of Escondido (Lots 4-9).
- e. Each five (5) bedroom dwelling constructed within this subdivision shall be connected to a minimum 1,500 gallon septic tank.
- f. Septic tank effluent filters are recommended for all septic tank outlet pipes.
- g. The disposal system requirements are as follows:

TABLE 1			
<u>LOT #</u>	<u>LEACH LINE LENGTH</u>	<u>LEACH LINE DEPTH</u>	<u>DEPTH OF ROCK UNDER PIPE</u>
1	665'	2.5'	Infiltrator only
2	665'	3'	1'
3	665'	3'	1'
4*	565'	5'	3'
5*	575'	5'	3'
6*, **	510'	5'	3'
7*	480'	5'	3'
8	470'	5'	3'
9	450'	5'	3'
* Lots 4, 5, 6, and 7 are also approved for the use of Horizontal Seepage Pits			
** Lot 6 requires the removal of 6' of overburden prior to the installation of the septic system.			

- h. Leach lines shall be laid in trenches 18-inch wide and shall be installed in compliance with County Bulletin D-12. The depth of trench and volume of rock beneath pipe on each lot is specified in Table 1 above.
- i. Additional 100% expansion area (equal to the initial leach line area) shall be reserved for potential expansion or in the event of failure. This shall be gravity flow unless approval is obtained from DEH for a pump system.
- j. Additional percolation tests may be required if the leach lines cannot be installed at the original depth and location as specified in the consultant's report and recommendations.
- k. The Department of Environmental Health will provide requirements for other than five bedroom dwellings and for "chamber" disposal systems.
- l. All lots shall have a layout of the subsurface sewage disposal system approved by the San Diego County Department of Environmental Health prior to the approval of a building permit and/or the issuance of a septic tank permit.

- m. Leachfield areas are shown on the tentative map that may limit site development and/or the number of bedrooms. These constraints are due to, but not limited to, steep slopes, groundwater, drainage courses, setbacks, and easements.

Department of Public Works

- a. Prior to approval of the Final Map, improve or agree to improve and provide security for the project side of **Miller Avenue** along the project frontage in accordance with Public Road Standards for a Residential Collector, to a graded width of thirty feet (30') from centerline and to an improved width of twenty feet (20') from centerline with asphalt concrete pavement over approved base with asphalt concrete dike, and disintegrated granite sidewalk, with face of dike at twenty feet (20') from centerline to the satisfaction of the Director of Public Works.
- b. Prior to approval of the Final Map, improve or agree to improve and provide security for the project side of **Alexander Drive** along the project frontage in accordance with Public Road Standards for a Residential Collector, to a graded width of thirty feet (30') from centerline and to an improved width of twenty feet (20') from centerline with asphalt concrete pavement over approved base with asphalt concrete dike and disintegrated granite sidewalk, with face of dike at twenty feet (20') from centerline to the satisfaction of the Director of Public Works.
- c. Prior to approval of the Final Map, improve or agree to improve and provide security for Street 'A' in accordance with Public Road Standards for a Residential Cul-de-sac, to a graded width of fifty-two feet (52') with thirty-two feet (32') of asphalt concrete pavement over approved base with Portland cement concrete curb, gutter and sidewalk with face of curb at sixteen feet (16') from centerline to the satisfaction of the Director of Public Works
- d. **Street 'A'** shall terminate with a cul-de-sac graded to a radius of forty-eight feet (48') and surfaced to a radius of thirty-eight feet (38') with asphalt concrete pavement over approved base with Portland cement concrete curb gutter and sidewalk with face of curb at thirty-eight feet (38') from the radius point.
- e. Adequate sight distance per County Standards shall be provided at all proposed intersections and driveways to the satisfaction of the Director of Public Works.

- f. The private storm drain system shall be privately maintained by a private maintenance mechanism such as a homeowners association or other private entity acceptable to the satisfaction of the Director of Public Works.
- g. Grant a drainage easement to the San Diego County Flood Control District for the culvert crossing beneath Miller Avenue to the satisfaction of the Director of Public Works.
- h. This project includes Category 2 post-construction BMPs. The applicant will be required to establish a maintenance agreement/mechanism (to include easements) to assure maintenance of these BMPs and to provide security to back up maintenance pursuant to the County Maintenance Plan Guidelines to the satisfaction of the Director of Public Works.
- i. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9424 and Ordinance No. 9426) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas 1 acre or greater require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.
- j. All of the work described above pertaining to erosion control, irrigation system, slope protection, drainage systems, desilting basins, energy dissipators, and silt control shall be secured by an Instrument of Credit in a form satisfactory to County Counsel for an amount equal to the cost of this work as determined or approved by the County Department of Public Works. An agreement in a form satisfactory to County Counsel shall accompany the Instrument of Credit to authorize the County Department of Public Works to unilaterally withdraw any part of or all the Instrument of Credit to accomplish any of the work agreed to if it is not accomplished to the satisfaction of the County Department of Public Works by the date agreed. The cash deposit collected for grading, per the grading ordinance, will be used for emergency erosion measures. If said deposit collected for grading is less than \$5,000.00, the developer will supplement the deposit to equal \$5,000.00. The developer shall submit a letter to the County Department of Public Works authorizing the use of this deposit for emergency measures.



- k. With the Final Map, dedicate **Street 'A'** in accordance with Public Road Standards for a Residential Cul-de-sac to a right-of-way width of fifty-two feet (52') together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works.
- l. With the Final Map, dedicate or caused to be granted the project half of **Miller Avenue** along the project frontage in accordance with Public Road Standards for a Residential Collector to a width of thirty feet (30'), together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works.
- m. With the Final Map, dedicate or caused to be granted the project half of **Alexander Drive** along the project frontage in accordance with Public Road Standards for a Residential Collector to a width of thirty feet (30'), together with right to construct and maintain slopes and drainage facilities to the satisfaction of the Director of Public Works.
- n. Prior to approval of improvement and/or grading plans, issuance of excavation permits, and issuance of any further grant of approval, the owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities.
- o. Relinquish access rights into Miller Avenue except for Street 'A'.
- p. Relinquish access rights into Alexander Drive except for driveway openings for Lots 8 and 9.

City of Escondido Fire Department

Provide four residential hydrants capable of delivering 1,500 gpm with 20 psi residual every 500 feet, the locations of which are to be approved by the City of Escondido Fire Department, as follows: One located off of Alexander Drive to service Lots 8 and 9 and three located on "Street A," one on the north side and two on the south side.

August 24, 2006

**ADOPTION STATEMENT:** This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

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on \_\_\_\_\_

JOSEPH FARACE, AICP, Planning Manager  
Regulatory Planning Division

JF:FWB:jcr

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